

AGREEMENT

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 1973,  
by and between BURKO CONSTRUCTION CORP. with offices at 145  
Orchard Drive, North Syracuse, New York, party of the first part,  
and \_\_\_\_\_ John De Franco  
owners of premises located at 510 Gordon Ave Syracuse N.Y. 13204  
Lot No. 752 - 753, party of the second part;

WHEREAS, the party of the first part is engaged in the  
construction business and particularly performing certain work,  
labor and services in connection with Contract No. 3 Bear Trap-  
Lay Creek Drainage District in Onondaga County, New York, and in  
connection therewith is performing certain excavation and re-  
moval of earth and dirt;

NOW, THEREFORE, it is mutually agreed as follows: The  
first party agrees to deposit X number of square  
yards of earth, dirt and fill upon the second party's lands  
under the direction of the second party and the second party  
agrees to pay the first party for such earth, dirt and fill  
\$ 0 NONE.

The party of the second part represents and warrants  
is that he/the owner of the lands hereinbefore mentioned and agrees  
to hold the first party harmless from any action by any third  
party in connection with the deposit of said earth, dirt and fill.

IN WITNESS WHEREOF, the parties hereto have hereunto set  
their hands and seals the day and year first above written.

John De Franco L.S.  
RA Burko L.S.

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